

House Study Bill 15

SENATE/HOUSE FILE _____
BY (PROPOSED ETHICS AND
CAMPAIGN DISCLOSURE
BOARD BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to express advocacy disseminated through mass
2 media for campaign finance disclosure purposes.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1234XD 83
5 jr/rj/8

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1 1 Section 1. Section 68A.102, subsection 14, Code 2009, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. c. A communication that does all of the
4 following:
5 (1) Is disseminated by radio, television, or print. For
6 purposes of this paragraph, "print" does not include an
7 individual's internet site unless the site is owned or
8 controlled by a political party, political committee, or
9 candidate.
10 (2) Refers to a clearly identified candidate for the
11 general assembly or statewide office.
12 (3) Is made within a period of twenty days before a
13 primary election, special election, or a general election in
14 which the clearly identified candidate is on the ballot.
15 (4) Costs seven hundred fifty dollars or more to produce
16 and distribute.
17 (5) Does not appear in a news story, commentary, or
18 editorial distributed through a media organization, unless
19 such organization is owned or controlled by a political party,
20 political committee, or candidate.
21 (6) Does not constitute a candidate debate or forum
22 conducted pursuant to rules adopted by the board, or that
23 solely promotes such a debate or forum and is made by or on
24 behalf of the person sponsoring the debate or forum.
25 Sec. 2. Section 68B.32A, subsection 1, Code 2009, is
26 amended to read as follows:
27 1. Adopt rules pursuant to chapter 17A as necessary to
28 interpret and carry out the purposes of this chapter, chapter
29 68A, and section 8.7, to implement any judicial rulings, and
30 to conduct hearings under sections 68B.32B and 68B.32C and
31 chapter 17A, as necessary to carry out the purposes of this
32 chapter, chapter 68A, and section 8.7.
33 EXPLANATION
34 Under current law, the term "express advocacy" is defined
35 as political speech made in the form of a contribution or
2 1 specifically advocates either the election or defeat of a
2 2 clearly identified candidate, or the passage or defeat of a
2 3 clearly identified ballot issue.
2 4 This bill adds a third type of express advocacy. This new
2 5 definition of express advocacy is met if all of the following
2 6 six specified criteria apply to the communication:
2 7 1. The communication is disseminated by radio, television,
2 8 or print.
2 9 2. The communication refers to a clearly identified
2 10 candidate for the general assembly or statewide office.
2 11 3. The communication is made within a period of 20 days
2 12 before a primary election, special election, or a general
2 13 election in which the clearly identified candidate is on the
2 14 ballot.
2 15 4. The communication costs \$750 or more to produce and
2 16 distribute.
2 17 5. The communication does not appear in a news story,
2 18 commentary, or editorial distributed through a media

2 19 organization, unless such organization is owned or controlled
2 20 by a political party, political committee, or candidate.
2 21 6. The communication does not constitute a candidate
2 22 debate or forum conducted pursuant to rules adopted by the
2 23 board, or that solely promotes such a debate or forum and is
2 24 made by or on behalf of the person sponsoring the debate or
2 25 forum.
2 26 The bill also adds some detail to the current rulemaking
2 27 authority of the ethics and campaign disclosure board.
2 28 LSB 1234XD 83
2 29 jr/rj/8